



Entered on Docket  
May 13, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,  
USA Capital Realty Advisors, LLC,  
USA Capital Diversified Trust Deed Fund, LLC,  
USA Capital First Trust Deed Fund, LLC,<sup>1</sup>  
USA Securities, LLC,<sup>2</sup>

Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>1</sup>  
Case No. BK-S-06-10729-LBR<sup>2</sup>

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING THIRD  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM  
BASED, IN WHOLE OR IN PART,  
UPON INVESTMENT IN THE  
WASCO INVESTMENTS, LLC  
LOAN**

Hearing Date: May 8, 2008  
Hearing Time: 10:30 a.m.

<sup>1</sup> This bankruptcy case was closed on October 12, 2007.

<sup>2</sup> This bankruptcy case was closed on December 26, 2007.

Pending before the Court is the USACM Liquidating Trust's Third Omnibus Objection of USACM Trust to Proofs of Claim Based, in Whole or in Part, Upon Investment in the Wasco Investments, LLC Loan (the "Objection") [DE 6125]. Adequate notice of the Objection was given. The Court heard the Objection on May 8, 2008. No responses were filed to the Objection and no opposition was raised at the hearing. Good cause appearing,

IT IS ORDERED:

- Sustaining the Objection;
- Disallowing the Proofs of Claim listed on Exhibit A attached to the extent they are based upon an investment in the Wasco Investments, LLC Loan. The Proofs of Claim listed in Exhibit A are not affected by this order to the extent they are based upon an investment in a loan(s) other than the Wasco Investments, LLC Loan; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to the Proofs of Claim listed on Exhibit A attached.

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PREPARED AND SUBMITTED:

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)

Susan M. Freeman

Rob Charles

John Hinderaker

*Attorneys for USACM Liquidating Trust*

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☒ No opposition was filed to the motion and no other party or counsel appeared at the hearing.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing, and any trustee appointed in the case, and each has approved or disapproved the order, or failed to respond, as indicated below:

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
John Hinderaker  
*Attorneys for USACM Liquidating Trust*

**WASCO INVESTMENTS  
THIRD OMNIBUS OBJECTION**

**EXHIBIT A  
Multiple Loan Claims**

<b>Claim</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment In the Wasco Investments Loan</b>
<b>10725-01843</b>	Craig Medhoff Trustee of M. Craig Medhoff Family Trust	3110 Larkwood Creek Fallbrook, CA 92028	\$25,000.00	\$12,500.00
<b>10725-02044</b>	Dominique Naylon	P.O. Box 2 Topaz, CA 96133	\$584,148.81	\$50,000.00
<b>10725-01901</b>	Charles and Mary Parker	14470 Emerald Path Apple Valley, MN 55124	\$236,840.31	\$52,470.68
<b>10725-00245</b>	Robert H. and Lynn R. Perlman Trust Dated 9/17/92	c/o Robert H. and Lynn R. Perlman Trustees 2877 Paradise Road, Unit 3501 Las Vegas, NV 89109-5278	\$1,187,000.00	\$50,000.00
<b>10725-01646</b>	Phillips Family Trust Dated 10/24/89	c/o A. Stephen Phillips & Frances E. Phillips, Trustees 2275 Schooner Cir. Reno, NV 89509-5743	\$37,500.00	\$12,500.00
<b>10725-02149</b>	Schnitzer Living Trust Dtd 10/24/91	Arthur F. and Linn S. Schnitzer Trustees 20155 NE 38th Court, #1604 Aventura, FL 33180	\$1,774,903.40	\$100,000.00
<b>10725-00840</b>	Dora R. Schutte	c/o Scott D. Fleming Esq. Hale Lane Peek Dennison & Howard 3930 Howard Hughes Parkway, 4 <sup>th</sup> Floor Las Vegas, NV 89169	\$100,000.00	\$50,000.00
<b>10725-01291</b>	Dora R. Schutte	Scott D. Fleming, Esq. Hale Lane Peek Dennison & Howard 3930 Howard Hughes Parkway, 4 <sup>th</sup> Floor Las Vegas, NV 89169	\$100,000.00	\$50,000.00
<b>10725-01679</b>	Connie Westbrook	14320 Ghost Rider Drive Reno, NV 89511	\$49,880.86	\$11,496.43
<b>10725-01922</b>	Connie Westbrook	14320 Ghost Rider Drive Reno, NV 89511	\$148,453.92	\$50,000.00
<b>10725-02163</b>	Marietta Voglis	333 Allen Parkway, Unit 1103 Houston, TX 77019	\$724,292.85	\$50,000.00